of St. Paul provided that an annual tax of 10 cents per frontage foot should be assessed upon every lot in front of which water pipes were laid. *Held*, that such statute is invalid under the Federal Constitution, being a taking of private property without just compensation and without due process of law.

This is the first authoritative declaration of the law for Minnesota as to the bearing of the Federal Constitution upon legislative power of assessment for local improvements. Prior to *Village of Norwood* v. *Baker*, 172 U. S. 269, according to the trend of American decisions, this power was practically unlimited. The justification of a special assessment is the special benefit conferred, but where the assessment is without reference to the benefits and with no provision for a hearing or review, it violates the citizen's constitutional rights. *Sears* v. *Commissioners*, 173 Mass. 350; *Fay* v. *City of Springfield*, 94 Fed. 409.

NATIONAL BANKS—PLEDGEE AS STOCKHOLDER OF.—F. WINDSOR ROBINSON v. SOUTHERN NATIONAL BANK OF N. Y., 21 Sup. Ct. 383.—A bank received stock of a national bank as collateral security for a note. Upon default of the note the stock was sold at auction and bought in by the pledgee bank, but was not transferred on the books of the national bank. *Held*, the pledgee bank is not liable as a stockholder in the national bank.

A pledgee of national bank stock who does not appear upon the books or otherwise to be the owner is not liable as a stockholder. *Welles* v. *Larrabee*, 36 Fed. Rep. 866; *Anderson* v. *Phil. Warehouse Co.*, 111 U. S. 479. Nor is he liable when stock is entered upon the books in his name as pledgee. *Pauly* v. *State Loan & T. Co.*, 178 S. Ct. Rep. 465. The legal title and legal liability is in him in whose name stock is registered. *Richardson* v. *Abendroth*, 43 Barb. (N. Y.) 162. For contrary rulings see *Wheelock* v. *Kost*, 77 Ill. 296; *Pullman* v. *Upton*, 96 U. S. 328; *Matthews* v. *Mass. Nat'l Bank*, 1 Holmes U. S. 410; also *in re Empire City Bank*, 18 N. Y. 199, pledgee liable as equitable owner. The court agreed with the lower courts in thinking that the stock was held, as regards the debtor, merely as collateral security for his debt.

PAUPERS—SUPPORT BY PRIVATE PERSONS—LIABILITY OF MUNICIPALITY.—PATRICK V. TOWN OF BALDWIN, 85 N. W. 274 (Wis.).—A physician rendered services to a pauper without direction or employment by the supervisor of the poor. *Held*, that he could not recover from the town.

There are cases holding public corporations liable even without notice to its officers of the necessity for relief, *Town of Charlestown* v. *Town of Lunenburg*, 23 Vt. 525, and there is much authority to the effect that if one furnish necessary relief to a poor person, after notice to the public officers, he may recover as on an implied contract. *Smith* v. *Inhabitants of Colerain*, 9 Metc. 492. *Wile* v. *Town of Southbury*, 43 Conn. 53. All of these decisions are based upon statutes. There being no common law obligation to maintain paupers, when a legislature has gone no further than to create a legal obligation to support poor persons, and to designate municipal agents to incur the necessary obligations to that end, no such obligation can exist without some clearly expressed consent given by such agents.

PHYSICIANS AND SURGEONS—LICENSES—FAILURE TO PROCURE—FEES—COLLECTIONS.—MAYFIELD V. NALE, 59 N. E. 415 (Ind.).—Where a statute provided that a physician, who did not obtain a certain license before practising in a county, should be deemed guilty of a misdemeanor, *held*, that a physician not complying with such statute could not recover for services rendered.

The general rule is that a contract made in violation of a law that provides for the licensing of persons engaged in certain occupations, is void. *Bowdre* v. *Carter*, 64 Miss. 221; *Stanwood* v. *Woodward*, 38 Me. 192; *Stevenson* v. *Ewing*, 3 Pickle 46; but the contrary has also been held in similar cases. *Shepler* v. *Scott*, 85 Pa. St. 329; *Jones* v. *Berry*, 23 N. H. 209. Though in most States laws similar to the present one provide that there shall be no recovery for services rendered in violation thereof, yet it would not seem to be necessary, especially where the statute expressly says that a violation of it shall be deemed a misdemeanor. *Orr* v. *Meek*, 111 Ind. 40; *Ingersoll* v. *Randall*, 14 Minn. 304.

RAILROADS—NEGLIGENCE—TRESPASSER ON TRACK—INFANTS—CONTRIBUTORY NEGLIGENCE.—TRUDELL V. GRAND TRUNK RY. CO., 85 N. W. 250 (Mich.).—A boy seven years and four months old was killed by the defendant's train. The court submitted the proposition of the negligence of the boy to the jury. *Held*, that it was error to submit the question of his contributory negligence to the jury.

This case seems to contradict a mass of decisions which hold that it is a question of fact for the jury whether a child exercised the ordinary care and diligence which is expected from a child similarly situated. 7 *Am. and Eng. Ency. Law* (Second Ed.), 409; *Evansick* v. *Gulf, etc., Ry. Co.*, 57 Tex. 126; *Railroad Co.* v. *Stout*, 17 Wallace 664. All these cases refer to accidents at crossings, while in the case at bar, the child was a trespasser on the tracks. There is sharp conflict among the authorities as to what the duty of a railroad company is to children who come upon its premises as trespassers, but the court holds to the general rule that a railroad company is no more bound to keep its premises safe for children, who are trespassers, than it is to keep them safe for adults. *Elliott on Railroads*, Sec. 1259.

SIDEWALKS—SPECIAL TAX—CONSTITUTIONAL LAW.—JOB ET AL. V. CITY OF ALTON, 59 N. E. 622 (Ill.)—A city ordinance under a statute provided for the construction of a sidewalk by the owners, the expense to be borne in proportion to frontage. The city constructed a sidewalk for the delinquent plaintiff and levied against his property. *Held*, that, though the statute did not provide for an assessment in proportion to the benefit accruing to the land from the sidewalk, U. S. Constitution, Amend. 14, was not thereby violated, since the ordinance was not unreasonable or oppressive.

The leading case on which the plaintiff relied is *Village of Norwood* v. *Baker*, 172 U. S. 269, where it was held that an assessment for the construction of a street whose cost was in substantial excess of the benefit conferred upon the abutting land was void. This case was also applied in *Dexter* v. *City of Boston*, 57 N. E. 379. But the court pointed out that these two cases brought extreme hardship upon the property-owner and plainly violated the Fourteenth Amendment. This decision, nevertheless, practically reiterates that of the *Norwood* case; for "*unreasonable and oppressive*" is but the application of adjectives to "*a cost of construction in substantial excess of the benefit conferred.*" Unjust assessments have been previously held void in Illinois. See *Hawes* v. *City of Chicago*, 158 Ill. 653; *Craw* v. *Village of Tolono*, 96 Ill. 252.

STREET RAILWAYS—RIDING ON PLATFORM—NOTICE FORBIDDING.—SWEETLAND V. LYNN AND B. R. CO., 59 N. E. 443 (Mass.).—Where a notice on a street car forbade persons riding on front platform, but, the car being crowded, the plaintiff and many others rode there and sustained injuries, *held*, that the defendant by habitually allowing passengers to ride on the front platform and collecting fares from them waived the prohibition.